



counsel; declaration on adequacy of notices and notice plan; and declaration in support of a limited fund.

2. The Court shall hold a hearing on the Joint Motion for Preliminary Approval on \_\_\_\_\_;

3. Plaintiffs and the Settling Defendants shall file a Motion for Final Approval of the Settlement no later than \_\_\_\_\_, 2024, and a hearing on any final settlement shall take place on \_\_\_\_\_;

Additionally, the Court is aware that certain motions remain pending, namely, *Defendants' Joint Motion to Dismiss Plaintiffs' Second Amended Complaint* [ECF 483-484]; *Plaintiffs' Motion for Class Certification* [ECF 518; 587]; *Plaintiffs' Motion to Supplement the Record in Support of Plaintiffs' Motion for Class Certification* [ECF 767-770]; *Plaintiffs' Motion for Leave to File a Third Amended Complaint* [ECF 718-719]; *Plaintiffs' Motion for a Finding of Spoliation and for Sanctions Against Defendants Sandy, Jividen, Douglas, and Marshall* [ECF 713]; along with Judge Aboulhosen's *Order and Proposed Findings and Recommendation* [ECF 774]; as well as *Objections to Magistrate Judge's Decision to District Court* by non-parties Justice and Abraham [ECF 784], and any corresponding responses and replies.

As it pertains to the Settling Defendants, the Court hereby DENIES, without prejudice, Defendants' Joint Motion to Dismiss Plaintiffs' Second Amended Complaint [ECF 483-484]; Plaintiffs' Motion for Class Certification [ECF 518; 587]; Plaintiffs' Motion to Supplement the Record in Support of Plaintiffs' Motion for Class Certification [ECF 767-770]; and Plaintiffs' Motion for Leave to File a Third Amended Complaint [ECF 718-719]. This Order does not affect these Motions as they relate to the non Settling Defendants. The Objections to Magistrate Judge's Decision to District Court by non-parties Justice and Abraham is also DENIED, without prejudice. The Court further ORDERS that in the event that this Court does not approve the settlement that

Defendants Sandy, Jividen, Douglas and Marshall will have 14 days from the date that the Court denies the Motion for Final Approval of the Settlement to file Exceptions and Objections to Judge Aboulhosen's Order and Proposed Findings and Recommendations [ECF 774]. Similarly, in the event that this Court does not approve the settlement proposed herein, the Motions denied without prejudice may be re-filed with the Court.

The Clerk is hereby DIRECTED to send a copy of this Order to counsel of record and any unrepresented party.

Entered: \_\_\_\_\_

\_\_\_\_\_  
Honorable Frank W. Volk

Submitted by:

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